

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

CHARLES H. EDELEN, JR.,	:	Civil No. 10-3436 (SRC)
	:	
Plaintiff,	:	
	:	
v.	:	<u>ORDER</u>
	:	
PLAINFIELD BOARD OF EDUCATION,	:	
	:	
Defendant.	:	
	:	

Plaintiff seeks to file a Complaint without prepayment of fees pursuant to 28 U.S.C. § 1915. Based on his affidavit of poverty, the Court finds that Plaintiff qualifies for in forma pauperis status pursuant to 28 U.S.C. § 1915. Having thoroughly reviewed Plaintiff's allegations, the Court finds that sua sponte dismissal of the Complaint is not required by 28 U.S.C. § 1915(e)(2)(B) at this stage of the proceeding.

IT IS therefore on this 22ND day of July, 2010,

ORDERED that Plaintiff's application to proceed in forma pauperis is hereby granted and the Clerk shall file the Complaint without prepayment of the filing fee; and it is further **ORDERED** that the Complaint may proceed past sua sponte dismissal; and it is further **ORDERED** that, pursuant to 28 U.S.C. § 1915(d), the Clerk shall issue summons and the United States Marshal shall serve summons and copies of the Complaint and this Order upon Defendants, with all costs of service advanced by the United States.

s/ Stanley R. Chesler
STANLEY R. CHESLER, U.S.D.J.